The Times Dispatch

THE TIMES FOUNDED 1854. THE DISPATCH FOUNDED 1850. WHOLE NUMBER, 19,627. RICHMOND, VA., SUNDAY, FEBRUARY 15, 1914. WEATHER TO-DAY—FAIR. PRICE FIVE CENTS.

DIFFERENT VIEW OF BANK MATTER TAKEN BY SMITH

Does Not Agree That Each District Must Be Self-Sustaining.

GEORGIA SENATOR STATES OPINION

Thinks Southeastern Section Should Receive Separate Reserve Region and Have Reserve Bank—Appears Before Committee at Hearing in Atlanta.

Atlanta, Ga., February 14.—A section of the country which is self-supporting two-thirds of the year is entitled to receive a separate reserve district and a reserve bank under the provisions of the new currency bill, according to Senator Hoke Smith, of Georgia. Senator Smith to-day so interpreted the so-called self-sustaining provisions of the law in a statement before the organization committee of the Federal currency reserve system here.

"I am very strongly convinced that, under this bill, the Southeastern section should receive a separate reserve district and have a reserve bank," the Senator declared.

"The fact that a section of the country finds it necessary to borrow money from another section during a period of crop movement," Senator Smith said, "does not render that section dependent."

"This legislation," he added, "does not intend to put a Chinese wall around each reserve district, and have it keep all of its money within its own borders. It carries facilities suggested by the Secretary of the Treasury for the movement from one part of this country to the other of resources from reserve banks to reserve banks."

End of Two Days' Hearing.

Senator Smith's statement to the committee was made at the end of a two days' hearing of arguments in favor of the establishment of a Federal reserve district in the Southeastern section.

By their questions yesterday and to-day, members of the committee had created the impression that one of their problems was to unite a group of so-called dependent States with another group so independent as to make the entire region self-sustaining under ordinary circumstances.

These statements led some to believe that it might be the purpose of the committee to create districts by combining Southern and Northern States, and locating the reserve banks at the northern end of the districts.

Members of the committee had drawn from advocates of a reserve district in this section the admission that the region was not entirely self-supporting throughout the year. Senator Smith expressed the opinion that a bank in this section would be self-supporting according to his interpretation of the law. In this connection he said:

"This bill requires eight banks, it allows twelve. There are those who believe that the ideal system was to have but one bank, and place all of the money from all of the banks in that one upon the theory that in this way all the funds of the country could be utilized everywhere, and, of course, if the country were self-supporting the bank would be.

Takes Different Shape.

"But the legislation took a different shape. It required eight and allowed twelve. The only direction given to the organization committee was that they should consider 'convenience in course of business.' The first thought in the legislation was convenience, then, course of business."

"Now, I say that I consider a bank in this section would be self-supporting."

At this point, Senator Smith was asked what district he had in mind. He named a district composed of Georgia, South Carolina, Alabama, perhaps Mississippi, East Tennessee and possibly Western North Carolina.

In substantiating his claim that the district would be self-supporting, Senator Smith asserted that a misapprehension would result if one simply considered the figures fixed by the bills payable from banks of this section during the months of August, September, October and a part of July and of November, when the cotton crop comes upon the market.

"I think, on my own observation, that 75 per cent of the face of those notes should be deducted to determine the actual debtor's status of this section," he said.

To illustrate this contention, Senator Smith cited a local bank which had an average indebtedness for August, September, October and November, evidenced by bills payable of $639,474. This same bank had on deposit and due it from reserve banks $411,000, and on deposit with other banks outside of this section for exchange $72,195.

Debtor Only $156,000.

"Under the new system, this bank was really a debtor only $156,000," the speaker asserted. "This same bank, during that period, had as an average $459,000 due it from other banks, in process of collection. With the establishment of a reserve bank in this immediate locality, these collections could be settled much more rapidly, and so large a sum would not be thus used. In this way, you can see that all the balance for which this bank was a debtor outside of this section would be wiped out."

Senator Smith voiced the opinion that New York is a debtor to this section much more than this section is a debtor to New York. "Eight months of the year our banks carry deposits in New York and pay interest on them. Four months of the year we borrow from New York. New York uses more money out of this section than we use out of New York," he added.

In speaking of the law as interpreted by him, Senator Smith expressed the belief that the purpose of the bill was to relieve pressure upon different

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WARNING TO NATIONAL BANKS

Must Signify Within Sixty Days Intention to Join New System.

Washington, February 14.—Warning was issued to national banks to-night by M. C. Elliott, secretary of the reserve bank organization committee, that to comply with the currency act, they must signify within sixty days of its enactment their intention to join the new system. Several banks had expressed the belief that the law allowed them twelve months in which to make known their intention. Under the law, national banks which do not so signify within sixty days must prepare to liquidate and are allowed twelve months for this process.

Mr. Elliott called attention in his circular to the provision that within thirty days of the day the organization committee fixes the geographical limits of a reserve district and names the city where a district reserve bank is to be created, banks in that district which wish to come in must subscribe to the stock of the reserve bank. This action is supplementary to the formal application for membership.

The circular explains also that State banks and trust companies which signify their intention of becoming members of the system will be allowed to participate in the selection of directors of the reserve banks in their districts.

At the close of business at the Treasury Department to-night 6,839 national banks had applied for membership, out of a total of 7,500 in the United States. The time limit for application is February 22.

LOCK STEP ALONE BARRED

Every Kind of Dance at Party Given by Women of Auburn Prison.

[Special to The Times-Dispatch.]

Auburn, N. Y., February 14.—Every kind of dance, from the Virginia reel to the tango, was on the program at the first annual valentine party of the women of Auburn Prison, which was held in the State Prison for Women here this evening. There were one-steps, two-steps and side-steps. The lock-step alone was barred, this under the ruling made by the prison authorities a few years ago. The recent arrivals were the only ones versed in the new steps, and they taugh the older inmates the tango, the castle walk and other modern steps. Mrs. David M. Osborne, daughter-in-law of Thomas Mott Osborne, was a patroness of the dance, by virtue of her position as honorary member of the Welfare League, an organization of inmates which gave the party. Men were debarred from the entertainment.

DEMOCRACY IN GOOD SHAPE

McCombs Satisfied With the Status in Many States.

Washington, February 14.—William F. McCombs, chairman of the Democratic National Committee, who came to Washington for the White House reception and the dinner of the Gridiron Club, to-day conferred with many members of the national committee. He expressed satisfaction over the status of the Democracy in many States, and while no such radical reorganization of the party is planned for any State as is contemplated for New York, the national committee will be active in many other States in seeing that men of progressive views are nominated for Congress, he said.

Mr. McCombs said Governor Glynn had informed him that the New York State Democratic Committee would meet on February 22, when the resignation of George M. Palmer, as State chairman, would be tendered, and William Church Osborn selected in his place. An advisory committee of progressive Democrats, it is understood, then will be appointed by Mr. Osborn, and detailed plans for the senatorial and congressional primary elections formulated.

MORSE SAILS FOR GERMANY

Former Banker Expects to Be Gone a Month to Take the Baths.

New York, February 14.—Charles W. Morse, the former banker, who sailed yesterday for Germany, expected to be gone a month to take the baths, according to a statement to-day by his son, Harry Morse. The financier's plans have been topics of speculation for weeks, particularly since it became known that he still was active in trying to force Congress to investigate the circumstances of his conviction after the failure of the Bank of North America.

A meeting of the advisory committee of the bank's stockholders will be held on Tuesday. The suit of Morse's sister against the New York, New Haven and Hartford Railroad has been looked upon as another movement toward his vindication on the charges on which he was convicted, and served part of his sentence at the Atlanta penitentiary. His going abroad at this time occasioned much surprise in Wall Street.

PICKLES IN GREAT DEMAND

Senators Use Sour Articles of Food as "Tests" for Mumps.

[Special to The Times-Dispatch.]

Washington, February 14.—Pickles and other sour articles of food were in great demand at the Senate to-day, where the Senators with blanched faces were "testing" out for the mumps.

The mumps scare, which has the stately solons in its grasp, was brought about by Senator Luke Lea, of Tennessee, coming down with this infantile disease.

The entire Senate, including Vice-President Marshall, has been exposed to the uncomfortable malady. The news of Senator Lea's misfortune leaked out to-day, when he was unable to attend the Senate sessions to press the Louisville and Nashville resolution, of which he is the author.

PRINCE OF WALES DUPED

Pays $7,500 for Antique Silverware Worth About $500.

[Special Cable to The Times-Dispatch.]

London, February 14.—The Prince of Wales, whose hobby is the collecting of antique silverware, is the victim of an Oxford tradesman, who recently sold him for $7,500 what purported to be a fine Queen Anne silver cup. This week Guy Laking, the King's armorer, saw the piece, and pronounced it a reproduction worth about $500.

As a result, the Oxford tradesman has lost a royal customer, and the prince has decided to consult Laking in the future before closing such deals.

NAVY TUG MAY BE LOST

But Commander Reports Crew of the Potomac Safe.

Washington, February 14.—The navy tug Potomac, caught in the ice in the Gulf of St. Lawrence, probably will be lost, but her crew are in no danger, according to a message to-day from the tug's commander, Boatswain Wilkinson, to the Navy Department. Ice is piled twenty feet high about the vessel, the message said, and a southerly wind would force the whole mass into the Straits of Bell Isle, crushing the tug.

New Food in Sea Mussel.

Washington, February 14.—The Bureau of Fisheries has discovered a new food in the sea mussel, which it had tested in a Boston hotel, where "it met with immediate approbation from the patrons of the hotel," according to the report issued to-day.

JEFFERSON HOME WANTED AS SHRINE FOR DEMOCRACY

House of Delegates Memorializes Congress to Acquire Monticello.

STRIKING ADDRESS BY MRS. LITTLETON

Legislature Astonished to Learn That Property Now Held at $1,000,000, and for Which Owner Has Refused Large Sums, Is Assessed at $25,000.

After hearing from Mrs. Martin W. Littleton, of New York, the House of Delegates yesterday unanimously adopted resolutions memorializing Congress to acquire and maintain as public property, Monticello, the home of Thomas Jefferson, where the tomb of the statesman is located. The resolutions were communicated to the Senate too late for action yesterday, but will come up in that branch to-morrow.

Shortly after the morning preliminaries, on motion of Mr. Horner, of Southampton, the chair was vacated to hear Mrs. Littleton, and Messrs. Willis, Reed and Meetze escorted the speaker to the platform.

Should Be Shrine of Democracy.

In a clear, low, musical voice, that was heard distinctly through the chamber, Mrs. Littleton made her plea, and from the first the House was in sympathy. She recited the fact that the national government has named a State and also its capital city after Washington, and has erected to his memory costly monuments; that millions have been spent for memorials to Grant and Lincoln; that the Hermitage, the home of Andrew Jackson, has been restored; that a marble structure has been reared over the log cabin in which Lincoln was born; that the home of Alexander Hamilton is public property; that the nation's ideals of patriotism date from the acquisition of Mt. Vernon as a shrine for all the people, and that millions have been expended by the national government for costly monuments, which line the streets of Washington to all manner of public characters, but for the man who wrote the Declaration of Independence, who did as much as any one in the shaping of the nation, and who founded the party of democracy, there has not been one cent expended in any national memorial.

The room in which Jefferson died is closed to the public, his house is private property, and in an obscure spot on that property is his tomb.

Offered Four Times Assessed Value.

Mrs. Littleton briefly reviewed the three-year struggle she has made, almost unaided, and with her own funds, to interest the people of America in rescuing "from the disgrace of mortgages and Wall Street speculation" the spot which should forever be most dear to all lovers of a free government, to all who stand for freedom of religion, for the freedom of the press, for the right of the States, and the right of the people. It was with peculiar emotion that she stood in the Virginia Capitol, the plans for which Mr. Jefferson himself secured in France, and addressed the body over which Mr. Jefferson once presided. A generous Virginian, whose name was withheld, had offered last year to purchase Monticello from Congressman Jefferson M. Levy, of New York, its present owner, at four times its assessed valuation, and to make it a free gift to the State of Virginia. It was ascertained that the Monticello property was assessed for taxation in Albemarle County at a fraction over $25,000. Through Governor Mann the offer of the Virginia citizen, who was willing to pay more than $100,000 for the property, was transmitted to Mr. Levy, and there was no response.

Owner Wants $1,000,000.

Mrs. Littleton said she had recently learned that the property could be purchased, though at a price around $1,000,000, a price which no individual or State would care to assume. But with the Federal government spending several millions to erect a building as a memorial to the women of this country, another and even more costly memorial in Washington to General Grant, with millions being appropriated for Lincoln memorials, and for various other monuments, the sum did not seem excessive.

An unfortunate incident of Mrs. Littleton's address, which had much to do with the unanimous action, occurred when she was reading from a large number of petitions by prominent men from all sections of the country who had signed memorials to Congress on the subject. One of the members of the committee whispered to the speaker that the time allowed when the chair had been vacated had expired, and suggested that she omit the petition and conclude her remarks. Mrs. Littleton evidently misunderstood the suggestion, taking it as an evidence of unfriendliness on the part of the House to a cause in which she is deeply interested, and, for some moments was unable to continue her remarks. When the time had been extended by unanimous action, she recovered her self-possession, wiped away her tears, and concluded her remarks, amid the applause of the House and galleries, nearly every member of the Senate being present in the hall during the latter part of the speech.

Resolutions Adopted.

After a vote of thanks, offered by Mr. Pennington, to the speaker for her striking address had been adopted, Mr. Stearnes, of Roanoke County, offered the following resolutions, which were adopted unanimously:

Whereas, Monticello, the home of the immortal Thomas Jefferson, is now private property, and the public has no right of access thereto;

Whereas, the buildings were planned, the grounds laid out, and the work of construction carried on under the presiding genius of that great statesman thus in itself forming a fitting memorial to his greatness;

Whereas, in the shadow of its walls lie the earthly remains of him who was

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SENATE STARTLED BY NEWS OF DEATH OF SENATOR BACON

End Comes Unexpectedly in Hospital at Washington.

COLLEAGUES PLAN UNUSUAL TRIBUTE

Will Hold Public Funeral in Senate Chamber on Tuesday With Family Consent—Dead Statesman of Great Help to President in Mexican Situation.

Washington, February 14.—Augustus Octavius Bacon, United States Senator from Georgia, for nearly nineteen years and chairman of the Foreign Relations Committee since the ascendancy of the Democratic party on March 4, 1913, to-day died in a hospital here after an illness of ten days. He was the first United States Senator elected by direct vote of the people under the seventeenth constitutional amendment.

Though Senator Bacon had been seriously ill with kidney trouble and complications developing from a broken rib, his death was unexpected. It came suddenly at 2 oclock in the afternoon, and news of the end fell upon the Senate as a shock while it was in executive session.

The immediate cause of the Senator's death was diagnosed as a blood clot in the heart. Throughout the morning he had been in good spirits, and it was announced to his colleagues that he was feeling better than for several days. Physicians had determined that an operation, which had been contemplated, was unnecessary. Despite his seventy-five years, it appeared that the affliction which he suffered was of recent origin, and specialists believed it would yield to treatment. This conclusion relieved considerably the anxiety of his friends and associates in Congress.

Half an hour before his death, the Senator talked with his daughter, Mrs. W. B. Sparks, of Georgia. She had just left the room when he raised himself in bed. As Mrs. Sparks re-entered the room, her father fell back in collapse and never regained consciousness.

Overman Announces Death.

In the absence of Senator Hoke Smith, of Georgia, Senator Overman was notified and proceedings in the Senate were abruptly halted when the North Carolina Senator announced the death. A brief resolution of respect was adopted and the Senate adjourned.

For several minutes, the Senators, shocked at the sudden tidings, remained in the chamber discussing what should be done, but later arrangements were made for a public funeral in the Senate chamber next Tuesday afternoon at 2 o'clock, to be attended by the Senate and the House of Representatives, the President of the United States and his Cabinet, justices of the Supreme Court, members of the diplomatic corps, the admiral of the navy, and chief of staff of the army.

The scene on the floor of the Senate was an unusual one. Not only had the death of their colleague shocked the Senators, but the effect of his loss at a time when important foreign relations measures were pending at once impressed itself upon the minds of Democratic and Republican leaders.

Informing the Senate of Senator Bacon's death, Senator Overman said:

"In the absence of the Senator from Georgia, Mr. Smith, it becomes my painful duty to announce to the Senate the death of Senator Bacon. The sudden passing away of this great Senator, who came to this chamber with all the honors which his native State could confer upon him, and who repaid that trust by his long, honorable and industrious career in this body, is an irreparable loss, not only to the Senate, but to the people of his State and also to the country at large."

Senate Adjourns.

A resolution of respect was then sent to the Vice-President's desk and adjournment followed.

A Senate committee was informally appointed to consult with the dead Senator's daughter, as to her wishes, it being the hope of his colleagues that a state funeral could be held in keeping with the high position Senator Bacon held in the service of the nation.

Vice-President Marshall, Senators Kern, Overman, Swanson and Saulsbury hurried to the hospital and after conferring announced that the funeral would be held on Tuesday in the Senate chamber. The Senate will appoint a committee on arrangements on Monday when cards of invitation will be sent to the President, members of the Cabinet and diplomatic corps.

The services will be conducted by the Rev. Forrest G. Prettyman, chaplain of the Senate, assisted by an Episcopal rector to be selected by the family. Announcement of Senator Bacon's death was made in the House later in the afternoon, and resolutions of respect, presented by Representative Bartlett, of Georgia, were adopted. Speaker Clark appointed as a special committee of the House to co-operate with a Senate committee for the funeral, the members of the Georgia delegation and Representatives Ferris, Willis, Mann, Payne, Gardner, Anthony, Dyer and Prouty. The House then adjourned.

Unusual Tribute.

A public funeral in the Senate is an unusual tribute. In recent years only a few such occasions have marked the demise of distinguished lawmakers. Among these were the funerals of Senators Isham G. Harris and William B. Bate, both of Tennessee.

Senator Bacon's demise comes at a time when general arbitration treaties with foreign nations are to be taken up for disposition, the treaties with Great Britain and Japan being of principal concern to the administration. Only a few weeks ago Senator Bacon and his colleagues on the committee conferred with the President, and it was agreed that these treaties should be pressed in the Senate for confirmation. Just before he was taken sick, Senator Bacon reported eight of these treaties to the Senate, with the recommendation that they be ratified, and the committee later designated next Thursday as the day upon which discussion should begin in

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U. S. Senator From Georgia Passes Away

AUGUSTUS OCTAVIUS BACON.

GORE WILL TAKE STAND ON MONDAY

Senator Will Tell His Version of Meeting Mrs. Bond in Washington.

NINE WITNESSES EXAMINED

Defense Continues Efforts to Prove Suit Result of Political Conspiracy.

Oklahoma City, Okla., February 14.—United States Senator Thomas P. Gore will probably take the witness stand on Monday in the hearing of the $50,000 damage suit instituted against him by Mrs. Minnie E. Bond. The Senator had expected to-day to tell his version of the meeting in a Washington hotel, when Mrs. Bond alleges that the Senator attacked her, but his counsel at the last moment decided to call other witnesses.

Just before adjournment, William M. Bonner, an Oklahoma City banker, was placed on the stand by Senator Gore's counsel. Bonner told of an alleged offer made to him by James R. Jacobs, the witness whom counsel for Mrs. Bond is holding for rebuttal testimony.

"Jim Jacobs told me," said Bonner, "that for $25,000 he would see that the case against Senator Gore was dropped." Bonner said that when he asked Jacobs what he would do with the money, Jacobs told him he would go "somewhere else and start a newspaper."

Judge Clark refused to allow a number of telegrams in relation to the suit, alleged by the defense to have passed between Bonner and Senator Gore, to be introduced.

Met Senator in 1913.

Previous to the testimony of Bonner, State Senator Thomas F. McMechan testified that he introduced Mrs. Bond to Senator Gore in Oklahoma City in 1913. That Mrs. Bond on that occasion said her husband was an applicant for the position of internal revenue collector. Senator Gore, however, according to the witness, told her the place had already been promised to another man.

Efforts of the defense to secure the admission of depositions taken in Oklahoma and Texas, where Mrs. Bond formerly resided, occupied a large part of the afternoon session. After extended argument, Judge Clark refused to admit them.

Nine witnesses to-day were examined for the defense, and two depositions were read into the record. The defense continued its efforts to prove its contention that Mrs. Bond's suit was the result of a political conspiracy. It also endeavored to lay the foundation to impeach the testimony of a number of the plaintiff's witnesses.

Bonner probably will be recalled to the stand on Monday. Senator Gore, who is expected to be the only other witness for the defense will, it is believed, conclude his testimony during the forenoon.

Victim of a Plot.

Half a dozen witnesses testified for the defense to-day to alleged incidents tending to show that the Senator was the victim of a plot. One witness asserted that James R. Jacobs, who is expected to testify as the most important witness for the plaintiff in rebuttal, admitted to him that the whole affair was a "frame-up," and several told of threats to "get" the Senator. It was stated to-day that the advisability of the Senator making a direct plea to the jury had been considered by his attorneys. Whether this plan would be followed was not announced. Besides Senator Gore, fifteen witnesses summoned by the defense are waiting to be heard.

The first witness to-day was W. F. Fisher, an Oklahoma City lawyer.

Fisher testified that he had loaned T. F. Robertson, the lawyer, who witnessed the alleged attack on Mrs. Bond, $245, and when Robertson came back from Washington after the alleged Gore incident, he demanded that it be repaid. Objections by counsel for Mrs. Bond caused Fisher to be excused on

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PAPER CONTINUES TO ATTACK WILSON

Mexican Publication Not Deterred by Charge O'Shaughnessy's Protest.

SPECIAL GUARD FOR SALAZAR

State Department Advised of Plan to Protect British Legation.

Mexico City, February 14.—In spite of the protest made by Nelson O'Shaughnessy, American charge d'affaires, and of the instructions of the Mexican Foreign Office to desist from attacks on President Wilson, El Imparcial to-day bore a three-column first page headline:

"The word of Wilson lacks honor, as does he himself."

The article which follows comments on recognition by the United States of the new Peruvian government within four days after the success of the revolt. "This was done," the newspaper says, "in face of the declaration from the White House on March 11, 1913, that the purpose of the United States is to deny sympathy to all revolutionary governments. Yankee processes work only along the line of evil passions."

With similar prominence El Imparcial publishes an account of the alleged failure of 150 banks in the Southern United States "because of President Wilson's iniquitous Mexican policy." An effort is made by the newspaper to show that President Wilson's policy is disapproved by the great majority of people in the United States, and by practically all those in the Southern States.

State Department Advised.

Washington, February 14.—A small legation guard of marines and machine guns from a British cruiser at Vera Cruz to the legation in Mexico City was ordered only after the State Department had been advised of the plan through the American embassy in London. Threats that the British legation would be made a particular object of attack in the event of a public uprising led to the precautionary measure, and it was intimated at the State Department to-day that Mexican authorities not only were willing but anxious that other diplomatic representatives in Mexico take similar measures.

It was thought possible American residents might urge Charge O'Shaughnessy to ask for a legation guard if the attitude of Mexican officials had been communicated to him.

Captain Harry McL. P. Huz, who has been on duty at the Naval War College, Newport, to-day was ordered to proceed to Vera Cruz to become chief of staff to Rear-Admiral Fletcher, commanding the American squadron. The post is a new one.

A letter from Admiral Fletcher, dated February 4, and received to-day, said epidemics of smallpox and typhoid fever still were raging at Tampico. He said the Federal garrison comprised about 700 men, and that there were about 2,000 rebels in the vicinity who apparently were waiting for reinforcements.

Secretary Garrison is seeking information regarding the recently reported illibustering expedition into Mexico near El Paso in 100 automobiles. He is frankly incredulous, and has called upon General Bliss for report.

Special Guard for Salazar.

[Special to The Times-Dispatch.]

El Paso, Texas, February 14.—Owing to the everpresent danger of an attempt by friends of General Jose Ynez Salazar to release him from his quarters in the prison camp at Fort Bliss, General Hugh L. Scott, commander of the United States forces at El Paso, announced to-night that sentries had been especially detailed to guard Salazar. The sentries are instructed to prevent his rescue at any cost, even to shooting him to death, in case of any attack which may be made seeming likely to prove successful.

Fronteras, Sonora, February 14.—Rebel couriers report the discovery of two Federal filibuster parties east and southeast of here. One of the parties, numbering about eighty, is encamped at Santa Teresa ranch. The other party, which is smaller, is reported at Cajon Bonita.

Constitutional agents have discovered that recruits for this filibuster movement are crossing the border daily from the United States. The movement

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GOVERNOR WILL CONSIDER BRIEFS ON ENABLING ACT

Says He'll Consult Authorities as to Legal Passage by Senate.

MANY PRECEDENTS ARE BEING CITED

House Once Reversed Speaker Ryan on Question of Lack of Constitutional Majority of All Members Elected in Vote on Conference Report.

Before taking action on the Williams enabling act, Governor Henry C. Stuart has agreed to consider written briefs for or against the contention that the bill failed to pass the State Senate by the required constitutional vote of a majority of all the members elected to that branch.

The question was discussed yesterday in every phase, with widely divergent views, even among those members of the General Assembly who are trained in constitutional law. Vehement partisans of the bill are in great feather over their victory, and refuse to let their hopes be dashed by any suggestion of failure. Vehement opponents are equally sure that the bill is, as one expressed it, a "dead cock in the pit," and that the enrolled copy to be sent to the Governor will not be worth the paper on which it is written.

Between the two extremes come the great body of members of the General Assembly, many of whom voted consistently for the bill, and who are now frankly worried over the possibility that the work of half of this year's session may go for naught.

Governor Stuart's Statement.

The Governor indicated that he would not receive delegations on either side, not wishing to have his time taken up with mere appeals from one faction or the other.

The following authorized statement was given out at his office yesterday morning:

"Governor Stuart said this morning that he would receive briefs or other statements in writing for and against the contention that a constitutional majority was not registered for the conference report on the enabling act, but that he would see no delegations on the subject.

Considering this a purely constitutional and parliamentary question, the Governor said he would consult constitutional and parliamentary authorities of his own selection before reaching a conclusion."

Following the policy announced in this statement, Governor Stuart yesterday declined to discuss the matter with Rev. James Cannon, Jr., Delegate Martin Williams, patron of the bill, and Senator G. Walter Mapp, its floor leader in the Senate, who called at his office. The official copy of the bill has not yet been enrolled and presented to the Governor. When enrolled it must first be signed by the Speaker of the House and president of the Senate in the presence of those bodies, and after being presented to the Governor, he has five days in which to give it consideration.

Did the Bill Pass?

It was generally conceded yesterday that the main point for the determination of the Governor is whether the bill did or did not pass. Questions of the constitutionality of such a referendum as is proposed, of the creation of a wine and beer monopoly, and other points urged against the validity of the bill as it stands, may more properly be considered by the courts.

There was a general searching yesterday for precedents bearing on the immediate point—whether the adoption of the conference report did or did not require the votes of a majority of all the members elected to the Senate. There are forty members in the Senate, a constitutional majority being 21. On the recorded vote the conference report stood 19 to 19, and Lieutenant-Governor Ellyson cast the deciding vote, voting aye, making the vote stand 20 to 19.

It is conceded by all parties that the fact that there was a pair cannot be argued as increasing the vote on each side. Pairs, it was stated, have no legal standing whatever, the man announcing a pair merely rising to a question of personal privilege to announce how he and his opponent would have voted. It is an arrangement of convenience in legislative bodies to allow members sick or out of the city to have their position on any particular subject recorded in the proceedings.

New Matter in Conference Report.

In this case the original bill passed the Senate by more than a majority of the number elected. The amended bill was the subject of a conference, and the conferees inserted new matter not hitherto considered by either house. The conference report was thereupon voted on in the Senate, with the result as stated above, and was declared adopted, 20 to 19.

The clearest precedent in opposition to this ruling, to which attention has yet been called, was in the "Long Parliament" of 1902-3-4, which followed the adoption of the new Constitution. In that session there was prepared a codification of the various license and tax laws, including the Mann local option law. The bill on the House side was known as House bill No. 38. The bill passed the House with fifty-nine affirmative votes. The two houses disagreed as to amendments, and there was a conference committee. The printed journal of the House of Delegates, session 1902-3-4, page 629, says:

"The report of the committee on conference on No. 38, House bill to raise revenue for the support of the government, etc., was agreed to—yeas, 44; noes, 34," and the vote was recorded in detail. The journal continues (page 630):

What the Journal Shows.

"Mr. Allen arose to the point of order that under the Constitution of Virginia it requires fifty-one votes to adopt the report of the Conference Committee, upon the ground that the report of the Conference Committee imposes, continues or revives a tax (section 50). Upon which point of order the Speaker